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PATENT & TRADEMARK OFFICE

**UNITED STATES PATENT AND TRADEMARK OFFICE**

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**United States Patent and Trademark Office**  
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 Alexandria, Virginia 22313-1450  
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/601,310	06/23/2003	Masaki Hashimura	T36-156800M/KOH

**CONFIRMATION NO. 7969**

21254  
**MCGINN & GIBB, PLLC**  
 8321 OLD COURTHOUSE ROAD  
 SUITE 200  
 VIENNA, VA 22182-3817

**FORMALITIES LETTER**



\*OC000000015381268\*

Date Mailed: 03/08/2005

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

05/05/2005 SZEWDIE1 00000088 500481 10601310      **FILED UNDER 37 CFR 1.53(b)**

01 FC:1201	200.00 DP	
02 FC:1202	40.00 DA	410.00 DP

*Filing Date Granted*

**Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.

The following item(s) appear to have been **omitted** from the application:

- Figure(s) **12d,12e** described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$400.00 petition fee (37 CFR 1.17(f))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$400.00 petition fee (37 CFR 1.17(f)) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

Applicant is advised that generally the filing fee required for an application is the filing fee in effect on the filing date accorded the application and that payment of the requisite basic filing fee on a date later than the filing date of the application requires payment of a surcharge (37 CFR 1.16(f)). To avoid processing delays and payment of a surcharge, applicant should submit any balance due for the requisite filing fee based on the later filing date being requested when submitting the omitted items(s) and the petition (and petition fee) requesting the later filing date.

Adjustment date: 05/05/2005 SZEWDIE1  
 03/07/2005 MBEYENE1 00000011 10601310  
 -610.00 DP  
 04 FC:1622

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabeled drawing figures, is required. A copy of the drawing figures showing the proposed changes in red ink should accompany with any drawing changes. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$650** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$40** for a Large Entity

- Total additional claim fee(s) for this application is **\$650**
  - **\$200** for 1 independent claims over 3.
  - **\$450** for 9 total claims over 20.

(A previous payment of **\$610** will be applied to the additional fees indicated above.)

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

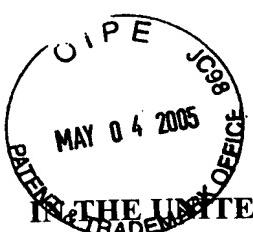
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*A copy of this notice **MUST** be returned with the reply.*

  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



JPW  
AB

In re patent application of

Masaki HASHIMURA, et al.

Serial No.: 10/601,310

Group Art Unit: 2812

Filing Date: June 23, 2003

Examiner: Unknown

For: SEMICONDUCTOR ELEMENT AND METHOD FOR PRODUCING THE SAME

Honorable Commissioner of Patents  
Alexandria, Virginia 22313-1450

**RESPONSE TO NOTICE TO FILE MISSING PARTS  
OF NONPROVISIONAL APPLICATION**

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application dated March 8, 2005 (copy attached), submitted herewith are a Preliminary Amendment which corrects the identity of Figures in the specification and copies of a Submission of Declaration filed on March 3, 2005, and the date-stamped postcard receipt.

In the case that a Petition (and fee) is required herewith, a Petition for acceptance of the Application as filed on June 23, 2003, is hereby made. Should such a Petition be required, the Examiner is authorized to charge Attorney's Deposit Account No. 50-0481.

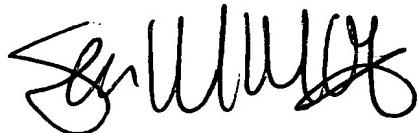
Please note that no additional fees have been submitted because all fees were paid with the March 3, 2005 filing. The fees paid were the \$750 application fee (which was the basic filing fee for a utility application in effect on June 23, 2003), \$650 excess claims fees (1 excess independent claim and 9 excess total claims), \$130 surcharge for the late filing of the declaration, and \$40 for the assignment recordation which totals \$1,570 (paid for by our check no. 12475).

Serial No.: 10/601,310  
Docket No. T36-156800M/RS  
NGB.256

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Please charge any deficiencies in fees and credit any overpayment of fees to Attorney's  
Deposit Account No. 50-0481.

Respectfully Submitted,



Date: 5/4/05  
McGinn & Gibb, PLLC  
Intellectual Property Law  
8321 Old Courthouse Road, Suite 200  
Vienna, Virginia 22182-3817  
(703) 761-4100  
Customer No. 21254

Sean M. McGinn  
Reg. No. 34,386



NG-B-256 Attorney's Post Card Filing Receipt  
Serial Number: 10/1601310 Papers Filed On: 03/03/03 Smm/1g

Attorney's Docket Number: 136-156800m/COH  Patent  Trademark

Applicant's Name: Masaki HOSHIMURA, Application Filing Date: 06/23/03  
Papers Filed Herewith: erm

- Amendment  Request for Extension of Time  CPA Request  
 Notice of Appeal  Appeal Brief (in triplicate)  Reply Brief  
 IDS  1449 Form w/        Documents  Priority Document(s)  
 Assignment  Recordation Cover Sheet  FigSIA-31  
 Drawing Corrections  Issue Fee Transmittal  Formal Drawings  
 Other Declaration, Second Request for NOmp + OFR  Missing Parts

Fees Filed Herewith: \$ 150  Check  Charge Deposit Account: \_\_\_\_\_

Hand Delivered

#12415



Docket No. T36-156800M/KOH  
NGB.256

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re patent application of

Masaki HASHIMURA, et al.

Serial No.: 10/601,310

Group Art Unit: Unknown

Filing Date: June 23, 2003

Examiner: Unknown

For: SEMICONDUCTOR ELEMENT AND METHOD FOR PRODUCING THE SAME

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUBMISSION OF DECLARATION**

Sir:

In the absence of receipt of the Notice to File Missing Parts of Application, submitted herewith is the signed declaration for the above-identified patent application, along with our check in the amount of \$1,570 to cover the \$750 application fee, the \$650 additional claims fee, the \$130 surcharge for the late filing of the declaration, and \$40 for the assignment recordation fee.

Please charge any deficiencies in fees and credit any overpayment of fees to Attorney's Deposit Account No. 50-0481.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Sean M. McGinn".

Sean M. McGinn, Esq.  
Registration No. 34,386

Date: 3/3/05  
McGinn & Gibb, PLLC  
Intellectual Property Law  
8321 Old Courthouse Road, Suite 200  
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